United State			urt	
010000111	ion	Notice		(Rev. 1/2019)
ECG2 0999123	0	Porter Name (Print)	en	lle78
YOU ARE CHARGED WITH	HTH	E FOLLOWING	3 VIOL	ATION
04/24/2023 080gm 30	se Cha	FR 4.2		e Code
Place of Offense Lighthouse Rd		,		
Offense Description: Factual Basis for Charge  Devator Under the  Legarer Heat None  of Safe vehicle  DEFENDANT INFORMATION	dor		o a mo	4 4
Last Nam Graff , III	Firs	Havo le	1	MI
Pursuant to the E-Gove federal rules, the unre this document has been	edad	cted version	n of	
APPEARANCE IS REQUIRED	_	APPEARANCE	IS OPTI	ONAL
A If Box A is checked, you must appear in court. See instructions.  BURGHAMAILEM PAY THIS AMOUNT AT	B □	THE RESIDENCE OF STREET STREET, STREET	e or in lie See instru Forfeitu	u of payment
www.cvb.uscourts.gov →	\$		Total Co	llateral Due
YOUR ( (If no court appearance date is shown, you		RT DATE. e notified of your appe	arance da	te by mail.)
Court Address Notice Server	d		Date	
2:23-MJ-1048-1		Т	ime	
My signature signifies that I have received a copy promise to appear for the hearing at the time and collateral due.  X Defendant Signature  Original - CVB Copy	of this place in	violation notice. It is natructed or in lieu of a	not an adm	nission of guilt. I be pay the total
. Original Over Oop)				1

\*09991230\*

	U		ates District Co ation Notice	ourt	(Rev. 1/2019)
Location Code EC62	Violation N I99912		Officer Name (Pr PAXTON, J	int)	Officer No. 1678
YOU	ARE CH	ARGED W	TH THE FOLLOW	ING VIOLA	TION
Date and Time 07/28/2023	er errettee	physical co	ged 23(a)(1) Operating ontrol of vehicle whi ugs or combination	ile under inf	luence of
Place of Offens LIGHTHOUS Carolina, DA Offense Descrip	SE ROAD		, LIGHTHOUSE RO	DAD , BUXT	
OPERATING	OR BE	NG IN ACT	TUAL PHYSICAL CO FALCOHOL, DRUC		
DEFENDAN	T INFOR	RMATION			
GRAFT			First Name HAROLD		M.I. W

## REDACTED VERSION

Pursuant to the E-Government Act and the federal rules, the unredacted version of this document has been filed under seal.

APPEARANCE IS REQUIRED	ADDEADANGE IS OBTIONAL
	APPEARANCE IS OPTIONAL
A If Box A is checked, you must appear in court. See instructions (on reverse side).	B If Box B is checked, you must pay the total colleteral due or in lieu of payment appear in court. See instructions (on reverse side).  Forfeiture Amount
	+ \$ 0.00 Processing Fee
PAY THIS AMOUNT AT www.cvb.uscourts.gov >>>	
	COURT DATE
	you will be notified of your appearance date by mail.)
Court Address	Date
	//
	Time
X Defendant Signature	
Original - CVB Copy	

## STATEMENT OF PROBABLE CAUSE

(For issuance of an arrest warrant or summons)

I state that on July 27, 2023 while exercising my duties as a law enforcement officer in the EASTERN District of North Carolina

within the exterior boundaries of Cape Hatteras National Seashore, I was running stationary radar in a marked patrol vehicle with U.S. Park Ranger (USPR) Anderson on Lighthouse Rd at approximately 2000 hours, when I observed a white truck headed outbound. The truck appeared to be traveling at a speed greater than the posted speed limit of 25 mph. USPR Anderson and the radar unit confirmed the speed to be 35 mph. After the truck passed our stopped patrol vehicle, I observed the truck cross the center/yellow line as it maneuvered a left handed curve.

USPR Anderson stopped the truck, identified as a white 2012 Chevrolet with Pennsylvania license plate . USPR Anderson identified the driver as Harold Wayne GRAFT, III by communication checks through dispatch and his PA driver's license. USPR Anderson asked GRAFT to roll down all the windows in the truck. As GRAFT did so, I smelled a strong odor of alcohol emit from the open window of the rear passenger side of the truck. USPR Anderson asked GRAFT how much he had to drink. GRAFT indicated that neither he nor his passengers, two of which were children, had drunk any alcohol. GRAFT's speech was slow and stunted, and questions had to be repeated to him several times before he answered.

USPR Anderson requested GRAFT to perform Standardized Field Sobriety Tests (SFSTs), to which he agreed. USPR Anderson conducted SFSTs, observing 4 of 6 clues on Horizontal Gaze Nystagmus, 5 of 8 clues on the Walk and Turn, and 3 of 4 clues on One Leg Stand. USPR Anderson requested GRAFT to perform a portable breath test (PBT). GRAFT provided breath samples of .11% BrAC then, after 6 minutes, .13% BrAC.

I arrested GRAFT for violation of 36 CFR 4.23(a)(1): Operate or be in actual physical control of a motor vehicle, while under the influence of alcohol, or a drug, or drugs, or any combination to a degree rendering operator of safe operation.

I requested GRAFT to provide a breath sample on the Intox EC/IR-II instrument at the Dare County Sherriff's Hatteras District Office. GRAFT consented, finding a reported AC of .10 g/210L.

I charged GRAFT with violation of 36 CFR 4.23(a)(2): The alcohol concentration in the operator's blood or breath is 0.08 grams or more of alcohol per 100 milliliters of blood or 0.08 grams or more of alcohol per 210 liters of breath.

NP23231919, VN: 09991230

The fo	egoing statement is based upon:
DEC	my personal observation my personal investigation
M	information supplied to me from my fellow officer's observation
	other (explain above)
	e under penalty of perjury that the information which I have set forth above and on the face of this violation notice is true and to the best of my knowledge.
Execut	ed on: // of/18/1073
Duch	Date (mm/dd/yy/y)  Officer's Signature
Proba	le cause has been stated for the issuance of a warrant.
Execut	ed on:
	Date (mm/dd/yyyy) U.S. Magistrate Judge

United States Dist	
1 - 20 2 1 1 1	(1101. 112010)
But 09991231 Office	Patter 1678
YOU ARE CHARGED WITH THE FO	OLLOWING VIOLATION
Date and Time of Offense  Offense Charged  Offense Charged  Offense Charged  Offense Charged	YEFR DUSC DISTANCE CODE FR 4.23(9)(2)
Lighthouse Rd	
Offense Description: Factual Basis for Charge	6.08
or greater.	a-,0 <sub>0</sub>
DEFENDANT INFORMATION	•
Lest Name	ne M.I.
Graft II Ha	rold W
Pursuant to the E-Governn federal rules, the unredacthis document has been fi	cted version of
APPEARANCE IS REQUIRED A	PPEARANCE IS OPTIONAL
budy - graff@ \$	ox B is checked, you must pay the all collateral due or in lieu of payment bear in court. See instructions.  Forfeiture Amount  + \$30 Processing Fee
PAY THIS AMOUNT AT www.cvb.uscourts.gov → \$	Total Collateral Due
YOUR COURT D	DATE
(If no court appearance date is shown, you will be notif	
Court Addres Notice Sowed	Date
2:23-MJ-1048-2	Time
My signature signifies that I have received a copy of this violation promise to appear for the hearing at the time and place instructional due.	ion notice. It is not an admission of guilt. I cled or in lieu of appearance pay the total
X Defendant Signature	eSC
Original - CVB Copy	91231*

		tes District C Ition Notice	ourt	(F
Location Code   Violation No		Officer Name (P	rint)	Officer No.
EC62 1999123		PAXTON, J	,	1678
YOU ARE CH	ARGED WI	TH THE FOLLOW	ING VIC	DLATION
07/28/2023 22:17	operator's balcohol per	ed 3(a)(2) Alcohol co blood or breath is 100 milliliters of b bohol per 210 liters	0.08 gradoor (	ms or more of 0.08 grams or
Place of Offense LIGHTHOUSE ROAD Carolina, DARE				
Offense Description: Factuel ALCOHOL CONCENT IS 0.08 GRAMS OR N BLOOD OR 0.08 GRA BREATH	TRATION IN	THE OPERATOR	O MILLIL	ITERS OF
DEFENDANT INFOR	MATION			
Last Name GRAFT		First Name HAROLD		M.I.
this docum	ent has			
APPEARANCE IS R	EQUIRED ou must	APPEARA	NCE IS (	
APPEARANCE IS R	EQUIRED ou must	APPEARA  B If Box B is ch collateral due court. See ins	NCE IS ( ecked, you or in lieu o structions (c	OPTIONAL  must pay the total if payment appear in on reverse side). rfeiture Amount
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NP23231919, VN: 09991231

The fo	regoing statement is based upon:	
M	my personal observation	my personal investigation
De	information supplied to me from my	fellow officer's observation
	other (explain above)	
correc	ted on: // OT / TR / TOTAL TOT	office of Signature
Proba	ble cause has been stated for the issu	ance of a warrant.
Execut	ted on:	
	Date (mm/dd/yyyy)	U.S. Magistrate Judge
HAZM	AT = Hazardous material involved in incident	PASS = 9 or more passenger vehicle.

CDL = Commercial driver's license, CMV = Commercial vehicle involved in incident.